

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Surf's Up, LLC,)	C/A No. 4:14-cv-4706-BHH-KDW
)	
Plaintiff,)	
)	
v.)	
)	REPORT AND RECOMMENDATION
Rick Rahim; Myrtle Laser Tag, LLC;)	
BusinessVentures.com, LLC,)	
)	
Defendants.)	
)	

On March 21, 2016, United States District Judge Bruce H. Hendricks granted defense counsel's motion to be relieved as counsel for all Defendants—Rick Rahim ("Rahim"), an individual; and Myrtle Laser Tag, LLC ("Myrtle Laser Tag"), and BusinessVentures.com, LLC ("BusinessVentures.com"), both limited-liability corporations. ECF No. 25. In the order relieving defense counsel, the court instructed Myrtle Laser Tag and BusinessVentures.com that they "must obtain counsel within the next forty-five (45) days." *Id.* at 2. The court stayed this matter for 45 days to permit Myrtle Laser Tag and BusinessVentures.com to obtain substitute counsel. *Id.* at 2, 5. Certified mail receipts indicate Rahim, Myrtle Laser Tag, and BusinessVentures.com received a copy of the March 21, 2016 Order. *See* ECF Nos. 36-38.

As it now includes pro se litigants, this matter was referred to the undersigned for pretrial handling. *See* Local Civ. Rule 73.02(B)(2)(e) (D.S.C.) (magistrate judges are authorized to review all pretrial matters in pro se cases). On March 24, 2016, the undersigned issued an Order advising individual pro se Defendant Rahim of special pleading rules applicable to pro se litigants in this District and reminding corporate pro se Defendants Myrtle Laser Tag and BusinessVentures.com, that they were required to obtain counsel no later than May 5, 2016, as instructed by District Judge Hendricks. Order, ECF No. 32. The March 24, 2016 Order plainly advised the pro se corporate

Defendants that the law and rules of the court require that corporate defendants be represented by legal counsel. (citing Local Civ. R. 83.I.07 (D.S.C.) and applicable case law). *Id.* at 1-2. In that Order, the undersigned further advised Defendants Myrtle Laser Tag and BusinessVentures.com that failure to comply with court rules could have serious consequences and that if they failed to obtain licensed counsel who filed an entry of appearance within the deadline, the undersigned would recommend that default be entered against it. ECF No. 32 at 1-2 (noting failure to comply with court rules could have serious consequences, including default, and that if the corporate Defendants “fail[ed] to retain licensed counsel who file[d] an entry of appearance [by May 5, 2016], it [would] be recommended that default be entered against them.”) (emphasis in original).

The Clerk of Court served the March 24, 2016 Order on each Defendant by regular mail. ECF No. 33-35. The Order sent to Defendant BusinessVentures.com was returned as undeliverable; it appears that Rahim and Myrtle Laser Tag received the March 24, 2016 Order. Although Defendants Myrtle Laser Tag and BusinessVentures.com were advised that they were required to obtain counsel by May 5, 2016, no licensed counsel has entered an appearance on behalf of either of these pro se corporate Defendants, nor has anyone communicated with the court regarding the now-expired deadline. Accordingly, it is recommended that default be entered against Defendants Myrtle Laser Tag, LLC, and BusinessVentures.com, LLC.

The Clerk of Court is to serve a copy of this Report and Recommendation on all Defendants, sending it by regular and certified mail to the last available address of record.

IT IS SO RECOMMENDED.



June 21, 2016
Florence, South Carolina

Kaymani D. West
United States Magistrate Judge

**The parties are directed to note the important information in the attached
“Notice of Right to File Objections to Report and Recommendation.”**